

PATENT  
ATTORNEY DOCKET NO. 50304/077001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Nuyens et al.	Confirmation No.:	7177
Serial No.:	10/534,677	Art Unit:	1796
Filed:	July 25, 2005	Examiner:	Wang, Chun Cheng
Patent No.:	7,629,390	Issue Date:	December 8, 2009
Customer No.:	21559		
Title:	METHOD FOR PREPARING EMULSIONS		

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT

In response to the Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) transmitted on November 18, 2009 in connection with the above-captioned patent, Patentee hereby requests recalculation of the Patent Term Adjustment (PTA) under 35 U.S.C. § 154(b) indicated on the above-identified patent. The patentee's sole basis for requesting the recalculation is the United States Patent and Trademark Office's *Pre-Wyeth* interpretation of 35 U.S.C. § 154(b)(2)(A).

The present application commenced the National Stage under 35 U.S.C. § 371(b) on July 25, 2005, and the period for Patent Office B delay began on July 26, 2008 and ran until December 8, 2009. The total Patent Office B delay is thus 501 days. The Patent Office previously accounted for a delay of 687 days for mailing a Non-Final Rejection on August 12, 2008, 18 days of which overlaps with the period of B delay. Accordingly, the Patent Term Adjustment for this patent should be increased by 483 days to a total of 1048 days.

Patentee agrees with all other delay determinations made by the Office. This patent is not subject to a terminal disclaimer. This application is file within two months of the issue date of the patent.

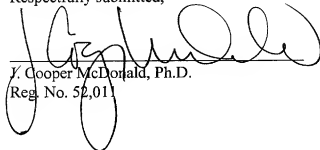
If there are any charges or any credits, please apply them to Deposit Account No. 03-

2095.

Date:

2/8/10

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'J. Cooper McDonald', is written over a horizontal line.

J. Cooper McDonald, Ph.D.

Reg. No. 52,011

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045